

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference BNT00018/WO	FOR FURTHER ACTION <small>See Form PCT/PEA/416</small>	
International application No. PCT/B2004/000607	International filing date (day/month/year) 27.02.2004	Priority date (day/month/year) 28.02.2003
International Patent Classification (IPC) or national classification and IPC A63B49/00, A63B49/02		
Applicant PRINCE SPORTS, INC. et Al. ✓		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> <i>(sent to the applicant and to the International Bureau) a total of sheets, as follows:</i></p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> <i>(sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</i></p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 27.12.2004 ✓	Date of completion of this report 01.02.2005	
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Millward, R Telephone No. +31 70 340-3345	



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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-13 as originally filed

Claims, Numbers

1-14 as originally filed

Drawings, Sheets

1/19-19/19 as originally filed

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

- The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
- This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	11-14
	No: Claims	1-10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-14
Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

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Re Item V.

- 1 The following documents are referred to in this communication:
D1 : WO 94/26361 A (USUI MITSURU) 24 November 1994 (1994-11-24)
D2 : EP 1 151 762 A (TOPKEY CORP ; WILSON SPORTING GOODS (US)) 7 November 2001 (2001-11-07)
D3 : US 5 993 337 A (JANES RICHARD ET AL) 30 November 1999 (1999-11-30)
D4 : US 4 681 319 A (ZILINSKAS GENE) 21 July 1987 (1987-07-21)

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document):

A sports racquet having a tubular frame (see figure 1) including a head portion defining a stringing area and a handle portion coupled to said head portion (generally common to all racquets) wherein said head portion includes a plurality of opposed string holes (figure 3) formed in said frame and having string bearing surfaces (figure 1) suitable for anchoring the ends of a first set of string segments extending in a first direction and the ends of a second set of string segments extending in a second direction, wherein said string holes are positioned to provide a predetermined spacing between contiguous string segments in each set (figures 1-3), characterised in that at least one of said string holes is a first enlarged string hole having at least two string bearing surfaces (figure 1)

2.2 Document D2 discloses (the references in parenthesis applying to this document):

A sports racquet (10) having a tubular frame including a head portion (20) defining a stringing area and a handle portion (22) coupled to said head portion wherein said head portion includes a plurality of opposed string holes (elongated slots 32) formed in said frame and having string bearing surfaces (16) suitable for anchoring the ends of a first set of string segments extending in a first direction and the ends of a second set of string segments extending in a second direction (column 8 lines 28-33), wherein said

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string holes are positioned to provide a predetermined spacing between contiguous string segments in each set, characterised in that at least one of said string holes is a first enlarged string hole having at least two string bearing surfaces (figures 4 and 5)

2.3 Therefore, claim 1 is not novel over either of documents D1 or D2.

3 DEPENDENT CLAIMS 2-14

Dependent claims 2-14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). For further details thereof, see the search report.

Re Item VIII.

4 Claims 7-9 are not supported by the description, Article 6 PCT.